

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Canaan X L.P., *et al.*,

Plaintiffs,

v.

MoneyLion Inc., *et al.*,

Defendants.

Case No. 1:23-cv-06550-PKC

**REPLY DECLARATION OF BRIAN M. BURNOVSKI IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS COMPLAINT**

I, Brian M. Burnovski, pursuant to 28 U.S.C. §1746, hereby declare as follows:

1. I am a partner at the firm of Davis Polk & Wardwell LLP, counsel for Defendants. I respectfully submit this Declaration in support of Defendants' motion to dismiss the Complaint.

2. Attached hereto as **Exhibit F** is a true and correct copy of a chart reflecting the trading price of MoneyLion Class A Common Stock from November 20, 2023 to December 20, 2023, as reported by Bloomberg L.P.

3. Attached hereto as **Exhibit G** is a true and correct copy of the Fourth Amended and Restated Certificate of Incorporation of MoneyLion Inc., as filed under the name Fusion Acquisition Corp. (as Exhibit 3.1 to MoneyLion Inc.'s Form 10-Q dated November 7, 2023).

Dated: New York, New York
December 20, 2023

/s/ Brian M. Burnovski

Brian M. Burnovski
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